

27 April 1955

MEMORANDUM FOR THE RECORD

SUBJECT: Proposed HR Bill to Increase Compensation (S.671)

HR 4688

1. The attached draft of several sections of subject bill pertains to the authority of agencies to fix salary rates administratively, to do so both retroactively and without regard to the Anti-Deficiency statute. Mr. Charles Johnson of the staff of the House Post Office and Civil Service Committee had asked for comments from this Agency. He was advised that while not so intended, the language of Section 106(a) might be interpreted to place a ceiling on the salary rates to be paid by the Agency despite existing authority to fix at whatever levels the Director determines appropriate.

2. After some discussion, including representatives of the GAO, it was agreed that subsection (c) would be added to Section 106 to provide in effect that "nothing contained in this Act shall be interpreted so as to affect existing statutory authorities to fix salary levels through administrative action." It was agreed that this language would answer the points raised by this Agency. It was the view of GAO that the exception from the Anti-Deficiency statute should be maintained not only for the retroactive aspects, but also for the prospective application.

3. Mr. Johnson agreed to advise the Agency if any changes were made.

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Deputy General Counsel